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14 Attorneys for Plaintiffs,
15 ROSA MARTINEZ, JIMMY HOWARD, and all others
similarly situated

16
17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION
20

21 ROSA MARTINEZ and JIMMY
22 HOWARD, on behalf of themselves and all
others similarly situated,

23 Plaintiffs,

24 vs.

25 MICHAEL J. ASTRUE, Commissioner of
26 Social Security, in his official capacity,

27 Defendant.
28

CASE NO. 08-CV-4735 CW

**STIPULATION AND ORDER GRANTING
PLAINTIFFS' REQUEST FOR
ADMINISTRATIVE RELIEF (LOCAL
RULE 7-11) AS MODIFIED**

1 WHEREAS, Plaintiffs filed their Class Action Complaint, together with Exhibits
2 A-C thereto, on October 15, 2008;

3 WHEREAS, Exhibits A-C to the Class Action Complaint disclosed the unredacted
4 Social Security Number, address, and telephone number of Plaintiff Rosa Martinez;

5 WHEREAS, Plaintiffs filed the Declaration of Rosa Martinez In Support Of Ex
6 Parte Application for a Temporary Restraining Order, together with Exhibits A-C thereto, on
7 October 17, 2008;

8 WHEREAS, Exhibits A-C to the Declaration of Rosa Martinez In Support Of Ex
9 Parte Application for a Temporary Restraining Order disclosed the unredacted Social Security
10 Number, address, and telephone number of Plaintiff Rosa Martinez;

11 WHEREAS, Plaintiffs and Defendant agree that the Social Security Number,
12 address, and telephone number of Rosa Martinez constitute private information that should not be
13 disclosed in publicly available pleadings of the above-captioned case, *see* Fed. R. Civ. P. 5.2(a);

14 WHEREAS, Plaintiffs respectfully request administrative relief, pursuant to Local
15 Rule 7-11, that Exhibits A-C to the Class Action Complaint and Exhibits A-C to the Declaration
16 of Rosa Martinez In Support Of Ex Parte Application for a Temporary Restraining Order be
17 removed from the docket of the above-captioned case; and appropriately redacted versions of the
18 exhibits refiled;

19 THEREFORE, IT IS HEREBY STIPULATED that the Class Action Complaint,
20 together with Exhibits A-C thereto, all of which were originally filed on October 15, 2008
21 (Document No. 1), shall be removed from the docket of the above-captioned case; and

22 IT IS FURTHER HEREBY STIPULATED that the Declaration of Rosa Martinez
23 In Support Of Ex Parte Application for a Temporary Restraining Order, together with Exhibits A-
24 C thereto, all of which were originally filed on October 17, 2008 (Document No. 12), shall be
25 removed from the docket of the above-captioned case;

26 IT IS FURTHER HEREBY STIPULATED that the Class Action Complaint,
27 together with redacted versions of Exhibits A-C thereto, shall be refiled in the docket of the
28 above-captioned case;

IT IS FURTHER HEREBY STIPULATED that the Declaration of Rosa Martinez
In Support Of Ex Parte Application for a Temporary Restraining Order, together with redacted
versions of Exhibits A-C thereto, shall be refiled in the docket of the above-captioned case;

IT IS FURTHER HEREBY STIPULATED that the Class Action Complaint and redacted exhibits to be refiled therewith are attached as Exhibit 1 to the Declaration of David H. Fry In Support Of Plaintiffs' Request For Administrative Relief. IT IS FURTHER HEREBY STIPULATED that the Declaration of Rosa Martinez In Support Of Ex Parte Application for a Temporary Restraining Order and redacted exhibits to be refiled therewith are attached as Exhibit 2 to the Declaration of David H. Fry In Support Of Plaintiffs' Request For Administrative Relief.

IT IS FURTHER HEREBY STIPULATED that neither party shall waive any position or argument with respect to any issue in this case by virtue of this stipulation.

IT IS SO STIPULATED.

DATED: December 12, 2008

MUNGER, TOLLES & OLSON LLP
Attorneys for Plaintiffs

By: /s/
DAVID H. FRY

DATED: December 12, 2008

UNITED STATES ATTORNEY
JOSEPH P. RUSSONIELLO
Attorney for Defendant

By: /s/
VICTORIA R. CARRADERO
ASSISTANT UNITED STATES ATTORNEY

**ORDER GRANTING PLAINTIFF'S REQUEST FOR ADMINISTRATIVE RELIEF TO
REMOVE AND REFILE THE CLASS ACTION COMPLAINT AND DECLARATION OF
ROSA MARTINEZ**

The Court, having considered the parties' Stipulation and arguments submitted in support of Plaintiff's Request for Administrative Relief, and good cause appearing, hereby ORDERS as follows:

Plaintiff's Request for Administrative Relief is GRANTED. The Clerk of the Court is hereby ORDERED to remove the Class Action Complaint, together with Exhibits A-C thereto, all of which were originally filed on October 15, 2008 (Document No. 1), from the docket of the above-captioned case;

The Clerk of the Court is further ORDERED to remove the Declaration of Rosa Martinez In Support Of Ex Parte Application for a Temporary Restraining Order, together with Exhibits A-C thereto, all of which were originally filed on October 17, 2008 (Document No. 12), from the docket of the above-captioned case;

Plaintiffs shall refile the Class Action Complaint and redacted versions of Exhibits A-C thereto, which are together attached as Exhibit 1 to the Declaration of David H. Fry In Support Of Plaintiffs' Request For Administrative Relief; and

Plaintiffs shall refile the Declaration of Rosa Martinez In Support Of Ex Parte Application for a Temporary Restraining Order and redacted versions of Exhibits A-C thereto, which are together attached as Exhibit 2 to the Declaration of David H. Fry In Support Of Plaintiffs' Request For Administrative Relief.

IT IS SO ORDERED.

12/12/08

Dated: _____



THE HONORABLE CLAUDIA WILKEN
United States District Judge